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BIZCLOUD, INC. and ZIPBUSINESS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BIZCLOUD, INC., and
ZIPBUSINESS,

Plaintiffs,

vs.

COMPUTER SCIENCES
CORPORATION, AT&T INC.,
CISCO SYSTEMS, INC.,
VMWARE, INC., EMC
CORPORATION, and DOES 1-25,

Defendants.

CASE NO.

COMPLAINT FOR

**(1) TRADEMARK INFRINGEMENT,
(2) UNFAIR COMPETITION,
(3) UNFAIR BUSINESS PRACTICES,
(4) INJURY TO BUSINESS
REPUTATION, AND
(5) UNJUST ENRICHMENT
TRIAL BY JURY DEMANDED**

1 Plaintiffs BIZCLOUD, INC. (“BizCloud”) and ZIPBUSINESS, by
 2 counsel, complains of defendants COMPUTER SCIENCES CORPORATION
 3 (“CSC”), AT&T INC. (“AT&T”), CISCO SYSTEMS, INC. (“CISCO”),
 4 VMWARE, INC. (“VMWARE”), and EMC CORPORATION (“EMC”) as
 5 follows:

6 **NATURE OF THIS ACTION**

7 1. This is a suit for trademark infringement and unfair competition
 8 arising under §§ 32 and 43 the Lanham Act (Title 15 of the United States Code),
 9 unfair business practices arising under California Business and Professions Code §
 10 1720 et seq., for common law injury to business reputation, and unjust enrichment.

11 **PARTIES**

12 2. Plaintiff BizCloud is a corporation organized and existing under
 13 the laws of the State of Wyoming and has its principal place of business in
 14 California. BizCloud is the exclusive license holder of the registered trademark,
 15 “BIZCLOUD.” A true and correct copy of the registration entry with the United
 16 States Patent and Trademark Office website (showing registration number
 17 3910486) is attached hereto as Exhibit A.

18 3. Plaintiff ZipBusiness is a corporation organized and existing
 19 under the laws of the State of California and has its principal place of business in
 20 California. ZipBusiness is a wholly owned subsidiary of BizCloud.

21 4. On information and belief, defendant CSC is a corporation
 22 organized and existing under the laws of the State of Delaware, with its principal
 23 place of business in Virginia.

24 5. On information and belief, defendant AT&T is a corporation
 25 organized and existing under the laws of the State of Delaware with a principal
 26 place of business in Dallas, Texas.

27 6. On information and belief, defendant CISCO is a corporation
 28 organized and existing under the laws of the State of California with a principal

1 place of business in San Jose, California.

2 7. On information and belief, defendant VMWARE is a
3 corporation organized and existing under the laws of the State of Delaware with a
4 principal place of business in Palo Alto, California.

5 8. On information and belief, defendant EMC is a corporation
6 organized and existing under the laws of the State of Massachusetts with a
7 principal place of business in Hopkinton, Massachusetts.

8 9. Defendant DOES One through Twenty-Five, inclusive, are
9 other defendants who have infringed or are currently infringing upon the mark
10 “BIZCLOUD,” and may include other companies or individuals. Plaintiff will fully
11 name these Doe defendants following discovery into their complete identities.
12 Does One through Twenty-Five, inclusive, are sued for both damages and
13 injunctive relief.

14 **JURISDICTION AND VENUE**

15 10. This Court has jurisdiction over this action pursuant to 28
16 U.S.C. §§ 1331 and 1338, 15 U.S.C. §§ 1116 and 1121 and 28 U.S.C. § 1367.

17 11. This Court has personal jurisdiction over CSC because
18 defendant CSC is transacting business within the State of California and this
19 judicial district; and has committed the tort of trademark infringement in this
20 judicial district, in violation of 15 U.S.C. § 1125, through its use of the
21 “BIZCLOUD” mark, as described in this Complaint.

22 12. This Court has personal jurisdiction over AT&T, CISCO,
23 VMWARE and EMC because defendants AT&T, CISCO, VMWARE and EMC
24 are transacting business within the State of California and this judicial district; and
25 have committed the tort of trademark infringement in this judicial district, in
26 violation of 15 U.S.C. § 1125 through their trademark infringement related to their
27 use of the “BIZCLOUD” mark, as described in this Complaint.

28 13. Venue is proper in this judicial district under 28 U.S.C. §§

1391(b) and (c) because CSC, AT&T, CISCO, VMWARE and EMC transact business within this district and offer for sale in this district products and services that infringe BizCloud's registered trademark, "BIZCLOUD". In addition, venue is proper because BizCloud's principal place of business is in this district and BizCloud suffered harm in this district. Moreover, a substantial part of the events giving rise to the claim occurred in this district. Venue is also proper as CSC, AT&T, CISCO, VMWARE and EMC reside in this district for purposes of 28 U.S.C. § 1391(b) and (c).

INTRADISTRICT ASSIGNMENT

14. This is an Intellectual Property Action to be assigned on a district-wide basis pursuant to Civil Local Rule 3-2(c).

FACTUAL ALLEGATIONS

15. BizCloud is a provider of a variety of internet marketing and data services, including cloud computing services. BizCloud first began using its mark "BIZCLOUD" in 2008. BizCloud began using its mark "BIZCLOUD" for purposes of cloud computing as early as 2009. As part of its first foray into the cloud computing space, in February of 2009 BizCloud developed software on behalf of nonprofit organizations and partnered with a search and business intelligence company in joint software development and cloud based software deployments.

16. Attached hereto as Exhibit B is a true and correct copy of a press release issued by BizCloud on the "PRWEB" service, showing use of the "BIZCLOUD" mark for cloud computing services on February 16, 2010.

17. Since 2009, BizCloud has continuously used the mark "BIZCLOUD" for, among other things, cloud computing services.

18. "BIZCLOUD" is a registered trademark held by BizCloud. Registration of the mark "BIZCLOUD" on the principal register constitutes "constructive notice of the registrant's claim of ownership thereof." 15 U.S.C. §

1 1502.

2 **FEBRUARY 3, 2011 NOTICE OF INFRINGEMENT TO CSC**

3 19. On February 3, 2011, CSC began using the mark
4 “BIZCLOUD”. Attached hereto as Exhibit C is a true and correct copy of a press
5 release issued by CSC announcing the launch of its “BizCloud” product (available
6 at [www.csc.com/newsroom/press_releases/59725-](http://www.csc.com/newsroom/press_releases/59725-csc_launches_csc_bizcloud_the_industry_s_first_on_premise_private_cloud_billed_as_a_service)
7 [csc_launches_csc_bizcloud_the_industry_s_first_on_premise_private_cloud_bille](http://www.csc.com/newsroom/press_releases/59725-csc_launches_csc_bizcloud_the_industry_s_first_on_premise_private_cloud_billed_as_a_service)
8 [d_as_a_service](http://www.csc.com/newsroom/press_releases/59725-csc_launches_csc_bizcloud_the_industry_s_first_on_premise_private_cloud_billed_as_a_service)), incorporated by reference into this Complaint.

9 20. On February 3, 2011, BizCloud issued a letter to CSC,
10 requesting that CSC cease and desist from its infringement of the “BIZCLOUD”
11 mark. Attached hereto as Exhibit D is a true and correct copy of the letter issued to
12 CSC from BizCloud informing CSC of infringement of the “BIZCLOUD” mark,
13 as well as CSC’s response to this letter on February 18, 2011, confirming it
14 received BizCloud’s letter and was on notice of infringement.

15 21. Despite being on notice of infringement, CSC has continued to
16 use the “BIZCLOUD” mark without the permission of BizCloud.

17 22. As of November 2013, CSC continues to use the mark
18 “BIZCLOUD” in promoting its “Private Cloud” service. See Exhibit E, a true and
19 correct copy of a PDF product sheet explaining the CSC “BizCloud” “Private
20 Cloud” service, available at [www.csc.com/cloud/offerings/53410/59294-](http://www.csc.com/cloud/offerings/53410/59294-csc_bizcloud)
21 [csc_bizcloud](http://www.csc.com/cloud/offerings/53410/59294-csc_bizcloud), and Exhibit F, a true and correct printable screen of
22 www.csc.com/cloud/offerings/53410/59294-csc_bizcloud, both incorporated
23 herein to this Complaint.

24 23. As of November 2013, CSC continues to use the mark
25 “BIZCLOUD” in promoting its “BizCloud VPE” service. See Exhibit G, a true and
26 correct copy of a PDF product sheet explaining the “BizCloud VPE” service,
27 available at www.csc.com/cloud/offerings/53410/93094-csc_bizcloud_vpe, and
28 Exhibit H, a true and correct printable screen of

1 www.csc.com/cloud/offerings/53410/93094-csc_bizcloud_vpe, both incorporated
2 herein to this Complaint.

3 24. As of November 2013, CSC continues to use the mark
4 “BIZCLOUD” in promoting its “BizCloud for Government” service. See Exhibit I,
5 a PDF available at
6 http://assets1.csc.com/public_sector/downloads/BizCloud_for_Government_Soluti
7 [on_Sheet_Lo_Res.pdf](http://assets1.csc.com/public_sector/downloads/BizCloud_for_Government_Soluti); see also Exhibit J, a true and correct copy of a screenshot of
8 the website [http://www.csc.com/public_sector/ds/88425/88433-](http://www.csc.com/public_sector/ds/88425/88433-bizcloud_for_government)
9 [bizcloud_for_government](http://www.csc.com/public_sector/ds/88425/88433-bizcloud_for_government), both incorporated herein to this Complaint, showing
10 additional use of the “BIZCLOUD” mark in the “BizCloud for Government”
11 service offered by CSC.

12 **INFRINGEMENT BY AT&T, CISCO, VMWARE AND EMC**

13 25. “BIZCLOUD” is a registered trademark held by BizCloud.
14 Registration of the mark “BIZCLOUD” on the principal register constitutes
15 “constructive notice of the registrant’s claim of ownership thereof.” 15 U.S.C. §
16 1502.

17 26. Despite being on constructive notice of BizCloud’s ownership
18 of the mark “BIZCLOUD,” defendant AT&T has entered into a deal with CSC
19 whereby it will “deliver [CSC’s] BizCloud and other cloud services through
20 AT&T’s global cloud infrastructure platform and networks.” See Exhibit K, a press
21 release dated August 6, 2013, issued by defendant AT&T, available at
22 about.att.com/newsroom/csc_att_combine_expertise_for_global_businesses.html,
23 and incorporated by reference into this Complaint.

24 27. Despite being on constructive notice of BizCloud’s ownership
25 of the mark “BIZCLOUD,” defendant CISCO has entered into a deal with CSC
26 whereby CISCO’s “advanced cloud automation” is incorporated into CSC’s
27 “BizCloud” product. See Exhibit L, a CISCO “case study” related to CISCO’s
28 work with CSC on CSC’s “BizCloud” product, dated 2012, available at

1 [http://www.cisco.com/en/US/solutions/collateral/ns340/ns517/ns224/csc_case_stud](http://www.cisco.com/en/US/solutions/collateral/ns340/ns517/ns224/csc_case_study_c36_708305.pdf)
 2 [y_c36_708305.pdf](http://www.cisco.com/en/US/solutions/collateral/ns340/ns517/ns224/csc_case_study_c36_708305.pdf), incorporated by reference into this Complaint.

3 28. Despite being on constructive notice of BizCloud's ownership
 4 of the mark "BIZCLOUD," defendant VMWARE has entered into an "alliance"
 5 with CSC whereby VMWARE and CSC will provide "joint solutions", including
 6 with CSC's "BizCloud" product, styled as a "VMware vCloud Datacenter
 7 Service[]". See Exhibit M, a true and correct copy of a PDF product sheet
 8 explaining the VMWARE and CSC "alliance" with CSC's "BizCloud" product,
 9 available at www.vmware.com/partners/global-alliances/csc/csc-solutions.html;
 10 see also Exhibit N, a true and correct copy of a screenshot of the website
 11 www.vmware.com/partners/global-alliances/csc/csc-solutions.html, both
 12 incorporated herein to this Complaint, showing additional use of the
 13 "BIZCLOUD" mark by CSC and VMWARE.

14 29. Despite being on constructive notice of BizCloud's ownership
 15 of the mark "BIZCLOUD," defendant EMC has partnered with CSC with "storage,
 16 security and management technologies" in selling CSC's product marked
 17 "BIZCLOUD". See Exhibit O, a true and correct copy of a PDF product sheet
 18 explaining how EMC partners with CSC on its "BIZCLOUD" product, available at
 19 http://chucksblog.emc.com/content/CSC_BizCloud_Data_Sheet.pdf; see also
 20 Exhibit P, a true and correct PDF copy of a website
 21 http://www.csc.com/global_alliances/alliances/33694-emc_corporation entitled
 22 "The CSC and EMC Alliance," and describing the CSC BizCloud product as a
 23 "joint solution" between CSC and EMC; see also Exhibit Q, a screenshot of the
 24 website www.vmware.com/partners/global-alliances/csc/csc-solutions.html, both
 25 incorporated herein to this Complaint, showing additional use of the
 26 "BIZCLOUD" mark by CSC and VMWARE.

27 **CLAIMS FOR RELIEF**

28 **COUNT I**

(Trademark Infringement against all Defendants)

(Lanham Act § 32, 15 U.S.C. § 1114(a).)

30. BizCloud incorporates by reference and realleges the allegations set forth in paragraphs 1 through 29 above.

31. Defendant CSC's use of the "BIZCLOUD" brand name comprises an infringement of BizCloud's registered trademark "BIZCLOUD" and is likely to cause confusion, mistake and deception of the public as to the identity and origin of BizCloud's goods, causing irreparable harm to BizCloud for which there is no adequate remedy at law. In addition to other internet service offerings, BizCloud offers cloud computing services. CSC cannot thus lawfully label its cloud computing services as "BIZCLOUD".

32. Defendants AT&T, CISCO, VMWARE and EMC are also infringing on the mark BIZCLOUD, as they have been on constructive notice of BizCloud's ownership of the mark "BIZCLOUD," yet have nonetheless entered into deals with CSC whereby they are distributing products and services with the mark "BIZCLOUD," causing irreparable harm to BizCloud for which there is no adequate remedy at law. In addition to other internet service offerings, BizCloud offers cloud computing services. Defendants AT&T, CISCO, VMWARE and EMC cannot thus lawfully label cloud computing services with the mark "BIZCLOUD".

33. Defendants knew they did not have permission to use the mark "BIZCLOUD," and knew their acts constituted trademark infringement. Defendants' conduct was and is willful within the meaning of the Lanham Act.

34. BizCloud has suffered, and will continue to suffer, substantial losses, including but not limited to damage to its business reputation and goodwill.

35. BizCloud has been and will continue to be irreparably harmed and damaged by Defendants CSC's conduct, and BizCloud lacks an adequate remedy at law to compensate for this harm and damage.

36. BizCloud is entitled to recover damages, which include its losses and any and all profits Defendants have made as a result of its wrongful conduct, pursuant to 17 U.S.C. § 504.

COUNT II

(Unfair Competition Under Lanham Act against all Defendants)

Lanham Act Section 43(a), 15 U.S.C. § 1125(a))

37. BizCloud incorporates by reference and realleges the allegations set forth in paragraphs 1 through 36 above.

38. Defendants' use of the "BIZCLOUD" mark to promote, market or sell internet cloud based services and products in direct competition with BizClouds products and services constitutes Unfair Competition pursuant to 15 U.S.C. § 1125(a). Defendants' use of the BizCloud mark is likely to cause confusion, mistake and deception amongst consumers. In addition to other internet service offerings, BizCloud offers cloud computing services. Defendants cannot thus lawfully label its cloud computing services as "BIZCLOUD".

39. Because Defendants have used the mark "BIZCLOUD" without properly paying for any license, and despite knowledge that they had no ownership over the mark "BIZCLOUD," Defendants' infringement has been and continues to be intentional and willful.

40. BizCloud has been and will continue to be irreparably harmed and damaged by Defendants' conduct, and BizCloud lacks an adequate remedy at law to compensate for this harm and damage.

41. BizCloud is informed and believes, and on that basis alleges, that Defendants have gained profits by virtue of their infringement of the mark.

42. BizCloud has also sustained damages as a direct and proximate result of Defendants' infringement of the mark "BIZCLOUD" in an amount to be proven at trial.

43. Because Defendants actions have been willful, BizCloud is

entitled to treble its actual damages or Defendants' profits, whichever is greater, and to an award of costs, and, this being an exceptional case, reasonable attorneys' fees pursuant to 15 U.S.C. § 1117(a).

COUNT III

(Unfair Business Practices against all Defendants

Cal. Bus. & Prof. Code § 17200, *et seq.*)

44. BizCloud incorporates by reference and realleges the allegations set forth in paragraphs 1 through 43 above.

45. The acts of Defendants described above constitute fraudulent and unlawful business practices as defined by California Bus. & Prof. Code § 17200, *et seq.*

46. BizCloud has valid and protectable rights in its registered trademark. Defendants' infringement of BizCloud's registered trademark constitute fraudulent business practices in violation of Cal. Bus. & Prof. Code § 17200, *et seq.*

47. The above-described acts by Defendants are likely to mislead or deceive the general public and therefore constitute fraudulent business practices in violation of Cal. Bus. & Prof. Code § 17200, *et seq.* In addition to other internet service offerings, BizCloud offers cloud computing services. Defendants cannot thus lawfully label their cloud computing services as "BIZCLOUD".

48. The above-described acts and practices constitute unfair competition and trademark infringement the Lanham Act, as alleged herein, are therefore unlawful acts in violation of Cal. Bus. & Prof. Code § 17200, *et seq.*

49. Defendants have acted willfully and intentionally in infringing BizCloud's trademark of the mark "BIZCLOUD", with full knowledge of BizCloud's rights to the trademark and with an intent to cause confusion or mistake or to deceive customers into believing that Defendants owned all right, title and interest in "BIZCLOUD", and into believing that Defendants are the

1 creators of the mark.

2 50. As a direct and proximate result of Defendants' wrongful
3 conduct, BizCloud has been injured in fact and has lost money and profits, and
4 such harm will continue unless Defendants' acts are enjoined by the Court.
5 BizCloud has no adequate remedy at law for Defendants' continuing violation of
6 BizCloud's rights.

7 51. Defendants should be required to restore to BizCloud any and
8 all profits earned as a result of its unlawful and fraudulent actions, or provide
9 BizCloud with any other restitutionary relief as the Court deems appropriate.

10 **COUNT V**

11 **(Common Law Injury to Business Reputation against all Defendants)**

12 52. BizCloud incorporates by reference and realleges the
13 allegations set forth in paragraphs 1 through 51 above and incorporates them by
14 reference.

15 53. BizCloud alleges that Defendants' use of the "BIZCLOUD"
16 mark inures and creates a likelihood of injury to BizCloud's business reputation
17 because persons encountering Defendants and their products and services
18 identified with the mark "BIZCLOUD" will believe that Defendants are affiliated
19 with or related to or has the approval of BizCloud, and any adverse reaction by the
20 public to Defendants and the quality of its products and the nature of its business
21 will injure the business reputation of BizCloud and the goodwill that it enjoys in
22 connection with its registered trademark, "BIZCLOUD." In addition to other
23 internet service offerings, BizCloud offers cloud computing services. Defendants
24 cannot thus lawfully label its cloud computing services as "BIZCLOUD".

25 **COUNT VI**

26 **(Unjust Enrichment against all Defendants)**

27 54. BizCloud incorporates by reference and realleges the
28

allegations set forth in paragraphs 1 through 53 above and incorporates them by reference.

55. As a result of the conduct alleged herein, Defendants have been unjustly enriched to BizCloud's detriment. BizCloud seeks a worldwide accounting and disgorgement of all ill gotten gains and profits resulting from Defendants' inequitable activities.

PRAYER FOR RELIEF

WHEREFORE, BizCloud asks this Court to enter judgment against Defendants and against each of Defendants' respective subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with it, granting the following relief:

1. That Defendants and their agents, officers, employees, representatives, successors, assigns, attorneys and all other persons acting for, with, by through or under authority from them, and each of them, be preliminarily and permanently enjoined from: (a) using BizCloud's trademark depicted in Exhibit A, or any colorable imitation thereof; (b) using any trademark that imitates or is confusingly similar to or in anyway similar to BizCloud's trademark "BIZCLOUD," or that is likely to cause confusion, mistake, deception, or public misunderstanding as to the origin of BizCloud's products or their connectedness to Defendants.

2. That Defendants be required to file with the Court and serve on BizCloud within thirty (30) days after entry of the Injunction, a report in writing under oath setting forth in detail the manner and form in which Defendants have complied with the Injunction.

3. That, pursuant to 15 U.S.C. § 1117, Defendants be held liable for all damages, including treble damages, suffered by BizCloud resulting from the acts alleged herein;

4. That, pursuant to 15 U.S.C. § 1117, Defendants be compelled to

1 account to BizCloud for any and all profits derived by it from its illegal acts
2 complained of herein;

3 5. That Defendants be ordered pursuant to 15 U.S.C. § 1118 to
4 deliver up for destruction all containers, labels, signs, prints, packages, wrappers,
5 receptacles, advertising, promotional material or the like in possession, custody or
6 under the control of Defendants bearing a trademark found to infringe BizCloud's
7 "BIZCLOUD" trademark, as well as all plates, matrices, and other means of
8 making the same;

9 6. An accounting of Defendants' profits pursuant to 15 U.S.C. §
10 1117;

11 7. Restitutionary relief against Defendants and in favor of
12 BizCloud, including disgorgement of wrongfully obtained profits and any other
13 appropriate relief;

14 8. Costs of suit and attorneys' fees pursuant to law pursuant to 15
15 U.S.C. § 1117; and

16 9. Any other remedy to which BizCloud may be entitled,
17 including all remedies provided for in 15 U.S.C. § 1117, Cal. Bus & Prof. Code §§
18 17200, *et seq.*, 17500, *et seq.*, and under any other California law.

19 **TRIAL BY JURY DEMANDED**

20 Pursuant to Federal Rule of Civil Procedure 38 and Civil Local Rule 3-6, Plaintiff
21 hereby demands a jury trial on all issues so triable.

22 Respectfully submitted,

23 Dated: January 10, 2014

COMAR LAW

24
25 By /s/ Inder Comar

26 D. Inder Comar
27 Attorney for Plaintiffs
28 BIZCLOUD, INC. and
 ZIPBUSINESS

EXHIBIT A



United States Patent and Trademark Office

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BizCloud

Word Mark BIZCLOUD**Goods and Services** IC 035. US 100 101 102. G & S: Advertising and advertisement, promotion and marketing services on behalf of others; online promotion of business opportunities and business networking services; providing telephone directory information via the Internet; providing business information in the nature of providing information on business opportunities and information and reports on existing business entities; business consulting; providing an online interactive website obtaining users comments concerning business services; providing an interactive website featuring business advice and business information in the form of video interviews. FIRST USE: 20081201. FIRST USE IN COMMERCE: 20081201**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85019005**Filing Date** April 21, 2010**Current Basis** 1A**Original Filing Basis** 1A**Published for Opposition** October 5, 2010**Registration Number** 3910486**Registration** January 25, 2011

Date

Owner

(REGISTRANT) ZipBusiness DBA BizCloud CORPORATION CALIFORNIA 25 Berryessa Way
Hillsborough CALIFORNIA 94010

(LAST LISTED OWNER) BIZCLOUD, INC. CORPORATION WYOMING 555 BRYANT STREET SUITE
583 PALO ALTO CALIFORNIA 95301

**Assignment
Recorded**

ASSIGNMENT RECORDED

**Type of
Mark**

SERVICE MARK

Register

PRINCIPAL

**Live/Dead
Indicator**

LIVE

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EXHIBIT B

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Monday, November 11, 2013

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BizCloud Taps Jamcracker to Provide SaaS Applications to Small & Medium Businesses

BizCloud, the small business cloud computing company, today announced that it will provide a wide range of web-based applications and services to small and midsize businesses via the BizCloud Platform Application Marketplace.

San Francisco, CA (PRWEB) February 16, 2010



BizCloud, the small business cloud computing company, today announced that it will provide a wide range of web-based applications and services to small and midsize businesses via the BizCloud Platform Application Marketplace. BizCloud will source the applications from the Jamcracker Services Delivery Network (JSDN), which will provide the back-end provisioning, delivery, support, and billing.

The popularity of Software as a Service (**SaaS**) solutions with companies of all sizes is increasing rapidly due to the business value that they provide. More and more business owners are realizing that SaaS can improve their business productivity and increase revenue. BizCloud has expanded its offerings with hosted on-demand software services that can help small businesses reduce their IT costs and be more productive as they free up their time to focus on their core business operations. Additional business solutions available from BizCloud Platform include:

BizCloud Community and Collaboration Software from Microsoft and Cisco Systems.

BizCloud Security and Continuity SaaS from MacAfee.

BizCloud Relationship Management SaaS from Microsoft Dynamics and Zoho.



BizCloud

“BizCloud is an innovative provider of cloud services for small and medium businesses,” said Steve Crawford, vice president of marketing for Jamcracker

“**Jamcracker's** SaaS solutions are a valuable addition to existing BizCloud product offerings,” said Nebojsa Despotovic, VP of online marketing at Bizcloud. “Offering a wide range of SaaS products combined with BizCloud professional service and application development team will ensure a successful deployment and attainable ROI.”

“BizCloud is an innovative provider of cloud services for small and medium businesses,” said Steve Crawford, vice president of marketing for Jamcracker. “We are pleased they have chosen the Jamcracker Services Delivery Network as the backbone for their expansion into the SaaS market.”

About BizCloud

Based in San Francisco, California, and offices in Europe and Asia, BizCloud (<http://www.bizcloud.net>) is an online business social utility focused on technology and cloud innovations to assist small business owners. BizCloud has mastered the art of integrated delivery alliances of cloud computing infrastructure, BPM platforms, business applications and service delivery organizations to deliver large inclusive customer outcomes for business owners. These Cloud Integrated delivery alliances cover Sales, Marketing, Operations and Engineering solutions customized to individual business needs.

About Jamcracker

The Jamcracker Services Delivery Network is a global services ecosystem that enables Carriers, IT Service Providers, Value Added Resellers (VARs), and Cloud solution providers to profitably deliver on-demand solutions to businesses of all sizes. Founded in 1999 by K.B. “Chandra” Chandrasekhar, the founder of Exodus Communications and chairman of e4e Services, Jamcracker’s mission is to enable on-demand services delivery on a global scale. Jamcracker is a privately held company with headquarters in Santa Clara, California, and offices in Bangalore, India. For more information, visit <http://www.jamcracker.com>.

###



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EXHIBIT C

CSC Launches CSC BizCloud™: the Industry's First On-premise Private Cloud Billed as a Service

News Release -- February 03, 2011

*BizCloud Offers the Security and Exclusivity of a Private On-Premise
Cloud Delivered in Just 10 Weeks*

FALLS CHURCH, Va. – Feb. 3 – CSC (NYSE: CSC) today announced [CSC BizCloud™](#), the only on-premise private cloud billed as a service currently available. Ready for workloads in 10 weeks, BizCloud combines the privacy, security and control of a private cloud with the agility, convenience and commercial model of a public cloud. By offering this service, CSC has taken the work out of implementing a private cloud and overcome many objections that security-conscious organizations have to cloud adoption. BizCloud is expected to accelerate the adoption of a private cloud by businesses and government agencies because it eliminates long-lead times for implementation and the need to budget for capital investment.

“For enterprises, it has been difficult to obtain the economic benefits of a public cloud which is delivered to them as a private cloud,” said Robert Mahowald, vice president, SaaS & Cloud Services, IDC. “CSC has been very strategic with this announcement. They engaged customers in a discussion about their business needs and developed a flexible solution that addresses those needs spot on. BizCloud and CSC's related services break new ground for IT buyers trying to navigate the road to data center transformation.”

BizCloud features [CloudCompute](#), CSC's new infrastructure as a service (IaaS) architecture which is deployed in the CSC Trusted Cloud Datacenters. CloudCompute delivers compute, storage and network resources as a service to support any application and is especially capable for hosting mission critical and business critical workloads. The CloudCompute infrastructure is built on the Vblock™ Infrastructure Platform from VCE, The Virtual Computing Environment Company. Vblock integrates the leading virtualization software, networking, security, computing, storage and management technologies from industry leaders Cisco, EMC and VMware. CSC's partnership with VCE enables the economic model that is unique to BizCloud.

“IT delivery is transforming at a record pace and, by leveraging a converged infrastructure platform and solutions from VCE, CSC is accelerating the rate at which its customers can take advantage of the cost and flexibility benefits of cloud-based computing,” said Todd Pavone, senior vice president, Solutions, VCE.

“BizCloud and CloudCompute provide the centerpiece of the modern virtualized datacenter,” said Siki Giunta, vice president of Cloud Computing and Software Services, CSC. “There is a model for every organization — whether you want self-managed or a managed service option, or you want private, public or a hybrid cloud, CSC is following through on our promise of delivering the right cloud, the right way. Until now, organizations have told us they were stalled by having to choose between the economic advantages of the public cloud and the security, control and performance offered by the private cloud. We have been listening, and now we are acting with BizCloud and CloudCompute. With CSC, every organization can easily make the initial move to ‘as

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a service' — infrastructure, platform and software on-demand."

CloudCompute is offered in three packages: Standard, Enterprise and Enterprise Plus. CloudCompute enables organizations to align workload requirements with the right CloudCompute package and service level. Customers mix and match the three packages and four tiers of service with guaranteed availability levels from 99 to 99.95 percent. All CSC cloud models are billed as a service from a standard rate card — the same rate card for off- and on- premise private clouds and public cloud models.

BizCloud with CloudCompute is the strategic alternative for private and public sector CIOs, allowing them to focus on IT resources on high value deliverables versus ongoing operations. CIOs can:

- Improve agility and accelerate cycle time by scaling on-demand — expanding and contracting resources as needed.
- Mitigate risk and improve ROI for implementing new business and mission critical solutions.
- Limit upfront IT investment and free up capital for strategic business investments.
- Simplify cloud adoption in order to act quickly on data center consolidation initiatives.
- Modernize applications for agility and cost reduction.
- Create new applications in weeks, not months.

Because BizCloud shares the same infrastructure as the CSC public and off-premise private cloud models, organizations can focus on moving workloads to the right cloud model based on the security and control those workloads require. BizCloud and CloudCompute are available immediately for business and government organizations globally.

As with all trusted cloud services, CSC takes a "business first" approach when advising customers on the right cloud — evaluating business processes and identifying ideal workloads to generate the greatest ROI for the enterprise and then aligning the workloads to the best combination of public and private systems. While maintaining technology independence with the ability to offer tailored solutions to meet any business need, CSC will lead with a strong point of view when advising new and existing clients that the VCE Vblock platform is "enterprise ready" as they seek to exploit the business and economic advantages of the cloud. In addition, CSC's globally recognized leadership in cybersecurity serves as the foundation to enable "trusted cloud" services.

BizCloud will be rolled out in stages across the globe.

Watch this video for a point of view from Siki Giunta about the benefits of BizCloud.

For more information about the CSC Trusted Cloud services, please visit www.csc.com/cloud.

About CSC

CSC is a global leader in providing technology-enabled solutions and services through three primary lines of business. These include Business Solutions and Services, the Managed Services Sector and the North American Public Sector. CSC's advanced capabilities include system design and integration, information technology and business process outsourcing, applications software development, Web and application hosting, mission support and management consulting. The company has been recognized as a leader in the industry, including being named by FORTUNE Magazine as one of the World's Most Admired Companies for Information Technology Services (2010). Headquartered in Falls Church, Va., CSC has approximately 94,000 employees and reported revenue of \$16.1 billion for the 12 months ended October 1, 2010. For more

CSC launches CSC BizCloud™, the Industry's First On-premise Private Cloud Billed as a Service
information, visit the company's website at www.csc.com.

EXHIBIT D



Alan Razavi
Bizcloud®
25 Berryessa Way
Hillsborough, CA 94010
Alan.Razavi@BizCloud.net
415-367-3636
February 3, 2011

CSC CORP
Michael W. Laphen
President, CEO and Chairman
3170 Fairview Park Drive
Falls Church, VA 22042
703-641-2316

Re: **BizCloud®** Trademark

Dear **Mr. Laphen**:

It has been brought to our attention that your business, **CSC Corporation**, has been using the trademark **BizCloud®** in association with the marketing or sale of your products & services. It is possible that you were unaware of this conflict, so we believe that it is in our mutual interest to bring this matter to your attention.

BizCloud® is a registered trademark of our business. Our use of this trademark provides us with certain proprietary rights. This includes the right to restrict the use of the trademark, or a confusingly similar trademark, in association with confusingly similar products or services. It is important that we exercise our right to protect our trademark. It serves as an important and distinctive representation of the origin of our products as well as the goodwill of our company.

Federal and international law supports our position that confusingly similar trademarks may cause confusion among customers. This confusion may cause substantial harm to the trademark by facilitating the loss of its' effectiveness in establishing a distinct association between it, our products & services, and our organizations goodwill. Due to these concerns, and because unauthorized use of our trademark amounts to an infringement of our trademark rights, we respectfully request that you cease & desist in any further use of **BizCloud®** in association with the marketing, sale, distribution, or identification of your products, or services.

Please respond by letter: indicating your intention to cease & desist the use of the trademark **BizCloud®**, or any confusingly similar trademark, within five (5) calendar days. We hope that this issue may be resolved this way so we can avoid any further legal remedies as provided by Federal and International Trademark Act.

Sincerely,

Alan Razavi

CEO



A. Stuart Nickles, III
Senior Counsel
10301 Wilson Blvd.
Blythewood, SC 29016
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snickles@csc.com

February 18, 2011

VIA EMAIL AND REGULAR MAIL

Mr. Alan Razavi
CEO
ZipBusiness
25 Berryessa Way
Hillsborough, CA 94010

Dear Mr. Razavi:

Thank you for both your letter to Mr. Mike Laphen concerning the trademark BIZCLOUD and for the time you have given me to investigate and respond to this matter. As a global leader in providing IT-enabled business solutions and services for more than fifty years, CSC and its 90,000 employees take intellectual property rights seriously. Due to the nature of our business, we are also cognizant of trademark owners' need to police such marks in order to protect them, and we appreciate the spirit in which you provided your letter.

As you are no doubt aware, in the US (as well as many other countries), it is permissible for someone to use a mark similar or even identical to another registered marks, provided the second mark is not "confusingly similar" to the senior mark. Every Federal Court of Appeals in the US lists slightly different factors for determining whether a mark is confusingly similar to another mark, although they are very similar. Set forth below are the first 6 factors used by the Federal Circuit (also referred to as the DuPont factors) in order to determine whether a mark is so similar to an earlier mark that it is "likely to cause confusion, or to cause mistake, or to deceive".

- (1) The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression.
- (2) The similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use.
- (3) The similarity or dissimilarity of established, likely to continue trade channels.
- (4) The conditions under which (and buyers to whom) sales are made, i.e. "impulse" vs. careful, sophisticated purchasing.
- (5) The fame of the prior mark (sales, advertising, length of use).
- (6) The number and nature of similar marks in use on similar goods.

ZipBusiness registered the trademark BIZCLOUD in class 35 for the following goods and services:

Advertising and advertisement, promotion and marketing services on behalf of others; online business promotion and networking services for providing electronic media or information via the Internet or other communications networks; providing telephone directory information via the Internet; providing business information in the nature of providing information on business

Page Two
February 18, 2011

opportunities and information and reports on existing business entities; business consulting and information services; providing an online interactive website obtaining users comments concerning service providers, business organizations, and other resources; providing an interactive website featuring business advice and information in the form of video interviews.

As indicated in its press release, CSC is using BIZCLOUD in connection with an "on-premise private cloud Ready for workloads in 10 weeks, BIZCLOUD combines the privacy, security and control of a private cloud with the agility, convenience and commercial model of a public cloud."

When analyzing the first six DuPont factors above with the different BIZCLOUD offerings by our respective companies, we reach the following conclusions:

THE GOODS/SERVICES: CSC's and ZipBusiness's services appear to be completely unrelated. ZipBusiness's service offering seems to enable businesses to reach their audience with a sophisticated, electronic approach to the more traditional "yellow pages". The business proposition, target market and potential outcome for the customer is entirely different from CSC's offering which consists of an on premise private cloud that would be integrated into a customer's enterprise infrastructure. Although there may be discussions and articles about cloud computing included in ZipBusiness' website, there is no large scale cloud service offering in any way related to that offered by CSC in connection with BIZCLOUD. Additionally, CSC is not offering services in any way similar to those offered by ZipBusiness in connection with its use of the BIZCLOUD mark.

CHANNELS OF TRADE: As with the similarity of the goods/services, the parties' trade channels are completely unrelated. CSC's BIZCLOUD services will be directly marketed to very large, high end companies by CSC's enterprise sales organization and other enterprise hardware and software providers partnering with CSC. The marketing is business to business in a very direct way via a sophisticated, labor intensive sales process outlined below to targeted lists of companies, many of which are already customers of CSC and their partners. ZipBusiness appears to be directed to small and medium size businesses, and prospects apply online to be accepted as a member.

SALES: The sophistication of the buyers and the conditions under which both parties' sales are made makes it hard to imagine any scenario where purchasers would ever be confused between the goods and services offered by CSC and ZipBusiness. Minimally, customers of CSC's BIZCLOUD offering will pay fifty thousand dollars or more per month for an extended contract period. These are not "impulse" sales, rather the sale is the result of a long, considered, consultative thought process. Typically, CSC will receive and respond to an RFI and/or an RFP. This may be followed up with a proof of concept, a statement of work, contract negotiations and an implementation spanning multiple months. The customer base is not comprised of unsophisticated consumers who have little knowledge of the services they are buying and are easily confused, rather, the purchasers are very sophisticated and they employ a number of experts in helping them analyze the alternatives and make a selection. Additionally, the ZipBusiness customer base is not comprised of unsophisticated consumers, but businesses who are making a well thought out decision as they are spending several thousand dollars to receive ZipBusiness' services.

FAME: Although clearly not as significant as the above factors, the fame of the prior mark is a factor the courts often consider. Generally, the more famous the prior mark, the more likely confusion may occur. Although CSC is unaware of the scope of ZipBusiness' marketing and advertisements for its BIZCLOUD

Page Three
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mark, such mark does not appear to meet the test for being a famous mark. CSC did not discuss evidence of any large scale, ongoing, national advertising campaigns involving this mark.

NUMBER AND NATURE OF SIMILAR MARKS: A quick review of the US Patent and Trademark records indicates there are in excess of 1,100 trademark applications and registrations for CLOUD, the dominant portion of the mark, most of which are in the IT field. In addition there are in excess of 19,900 trademark applications and registrations for BUSINESS and 360 trademark applications and registrations for BIZ. Anytime an industry is crowded with similar marks for similar goods and/or services, confusion is less likely to occur because the relevant consumers will be accustomed to seeing similar marks for similar goods/services, they will readily understand they are not provided by the same company and they will be prepared to distinguish between such marks.

Because of CSC's large customer base and the goodwill associated with CSC's products and services in the IT industry, CSC has a self serving interest in not using a trademark that would be confusingly similar to another company's mark. Otherwise, CSC would risk losing out on potential sales or introducing a customer to another vendor. Although both companies' marks are the same, based on our review of this matter, we do not believe the companies' use of the BIZCLOUD marks will ever lead to any confusion in the market for the reasons set forth above and that the companies should be able to peacefully co-exist.

Thank you again for bringing this matter to our attention. Should you wish to discuss further, please advise.

Sincerely,



A. Stuart Nickles, III
Senior Counsel

EXHIBIT E

CSC BizCloud™

10 WEEKS TO YOUR PRIVATE CLOUD

BizCloud is an enterprise private cloud built on your premises, billed as a service and ready for workload and application deployment in 10 weeks.

BizCloud offers your enterprise the security and exclusivity of a private cloud with elasticity and pay-as-you-go billing. Some workloads require more security and that the data and applications be kept close to the enterprise. When regulatory, compliance or latency concerns are at the forefront, an enterprise private cloud – billed as a service – is the right cloud!

Private Cloud on your terms

- Physically segregated cloud based infrastructure
 - Billed as a service from a standard rate card
 - Pay-as-you-go above the minimum
 - Optimum security to comply internal and regulatory policies
 - Only use what you need! Expand and dial back private cloud computing resources
-
- Built on the **Vblock™** platform from **VCE**
 - Mix and match four SLA backed tiers of service to your workloads
 - High availability with disaster recovery options
 - Built on the foundation of digital trust, strong security and total transparency
 - Recognized by **VMware** as one of their **vCloud Datacenter Services**

Ready for Hybrid Cloud Deployment When You Are

BizCloud uses the same rate card, service level, and management options as BizCloud VPE and CloudCompute. This simplifies management and streamlines implementation of a hybrid cloud model. This consistency combined with CSC orchestration and federation – enables you to use one or more cloud models with BizCloud as the management focal point.

BizCloud for Government is adapted for our federal customers and designed to meet federal security

BizCloud offers a resilient cloud platform paired with CSC's top managed services, onboarding expertise, and top security standards. requirements including FISMA.



Contact Us



Download an Overview



Schedule a meeting with the CSC Team

Learn More

Success Story: Telenor Sweden Telenor Sweden Seeks More Flexibility & Lower Costs in the Cloud

IaaS Solutions Brochure

Webinar: Cloud Lessons Learned- Gain Control, Mitigate Risk, Be Agile

Cloud Migration Services Overview

CSC Offerings: Hybrid Cloud-Ready

BizCloud VPE

BizCloud for Government

CloudCompute

EXHIBIT F



About Us

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Success Story:
Telenor Sweden
Telenor Sweden Seeks
More Flexibility &

CSC Recommendations

EXHIBIT G

CSC BizCloud™ VPE

HOSTED PRIVATE CLOUD

BizCloud VPE delivers private cloud computing access with logical segregation of cloud storage deployed from any of our worldwide CSC Cloud Data Centers.

BizCloud VPE is Ideal for organizations that need both private network connectivity and the additional security provided with cloud compute capacity dedicated only for their use.

Resilient, secure and reliable cloud infrastructure

- Dedicated compute capacity with blade segregation
- Dedicated VPN and point to point connections as well as public internet connectivity that can be combined to match your application needs
- Multiple logically segregated cloud storage options
- Choose from a growing number of CSC Cloud data centers

Flexibility and choices to meet your Infrastructure as a Service (IaaS) needs

- Two SLA backed tiers of service choices
- Certified VMware vCloud Datacenter Service ensures that your applications are portable
- Self managed and CSC managed enterprise cloud with full Disaster Recovery (DR) capabilities
- Consistent cloud architecture, rate card, and service management options for our public, virtual private and private cloud makes implementation and management of a hybrid cloud simple

Watch a video demonstration of CSC's IaaS



[Contact Us to Learn More](#)



[Solution Overview](#)

Learn More

[IaaS Solutions Brochure](#)




[CSC BizCloud™ VPE Service Offering Summary](#)

[BizCloud: Our Private Cloud Billed as a Service](#)



[CloudCompute: Our Public Cloud](#)

[Cloud Migration Services Overview](#)

EXHIBIT H

← → ↻ www.csc.com/cloud/offerings/53410/93094-csc_bizcloud_vpe ☆   

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CSC BizCloud™ VPE

HOSTED PRIVATE CLOUD

BizCloud VPE delivers private cloud computing access with logical segregation of cloud storage deployed from any of our worldwide CSC Cloud Data Centers.

BizCloud VPE is Ideal for organizations that need both private network connectivity and the additional security provided with cloud compute capacity dedicated only for their use.

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- Dedicated compute capacity with blade segregation
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- Multiple logically segregated cloud storage options
- Choose from a growing number of CSC Cloud data centers

Learn More

- [IaaS Solutions Brochure](#)
- [CSC BizCloud™ VPE Service Offering Summary](#)
- [BizCloud: Our](#)

Cloud Computing Services

- HOW DO I GET STARTED WITH CLOUD?
- HOW DO I SELECT A CLOUD PROVIDER?
- CAN SAP REALLY BE DEPLOYED IN THE CLOUD?
- WHAT SHOULD I KNOW BEFORE MOVING EMAIL TO THE CLOUD?
- ✓ **INFRASTRUCTURE AS A SERVICE (IAAS)**
- ✓ **SAP IN THE CLOUD**
- ✓ **MAIL AND COLLABORATION**
- ✓ **X86 TO THE CLOUD**
- CONTACT US**

Contact Us to Learn More

Solution Overview

CSC Recommendations

EXHIBIT I



BIZCLOUD™ FOR GOVERNMENT

A VMWARE VCLOUD™ DATACENTER SERVICE

SECURE, PRIVATE CLOUD BILLED AS A SERVICE

SECURE AND ELASTIC PRIVATE CLOUD DELIVERED IN 10 WEEKS

- Billed as a service
- Pay for what you use
- 10-week delivery
- Multiple tiers of service with disaster recovery options
- Self-service or managed
- On your premises or ours

KEY BENEFITS

- Improves agility through rapid deployment and expanding and contracting resources as needed
- Improved efficiency and cost effectiveness of IT delivery
- Mitigates investment risk and improves ROI for new business solutions
- Focuses IT resources on business value versus ongoing operations
- Frees up capital for strategic business investment
- Releases IT staff from mundane or routine tasks

BizCloud for Government:
Deployed quickly and installed in your data center, with no capital investment required

Until now, to have the security and exclusivity of a private cloud, you needed to forgo the highly desirable elasticity and on-demand, pay-as-you-go economic model of the public cloud. Now, you can have all the commercial advantages of the public cloud while satisfying your need to mitigate risk and secure mission-and business-critical data and applications.

THE SOLUTION

CSC BizCloud™ for Government is a private cloud built by CSC to operate on-premises (your government data center) or at a CSC hosted data center ready for application workload deployment in just 10 weeks and billed as a service from a standard rate card. BizCloud for Government combines the privacy, security and control of a private cloud with the commercial model, elasticity and convenience of a public cloud. BizCloud for Government is designed to meet government security requirements including the Federal Information Security Management Act (FISMA). Now you can deliver Infrastructure as a Service (IaaS) to your agency without the capital investment or the long lead times typically associated with building a private cloud.

Innovative. We've taken our cumulative experience in standing up worldwide cloud data centers and captured it in BizCloud for

Government. With BizCloud for Government, we combine a powerful, standardized cloud fabric, the security required by government standards, and our proven expertise in onboarding and managed services to deliver a ready-made private cloud that we bill as a service.

The standard CSC cloud fabric is the basis of BizCloud for Government. It includes leading virtualization software from VMware; unified networking, security and computing from Cisco; and storage, security and management technologies from EMC.

BizCloud for Government arrives with an integrated service catalog configured for your enterprise. Orchestration automates provisioning and chargeback with usage tracking and reporting on capacity and service level agreement (SLA) monitoring.

Capable. CSC's BizCloud for Government offers a consistent architecture, rate structure and service levels across all CSC IaaS cloud deployment models. This consistency ensures interoperability and simplifies management of a private cloud in either of the two delivery models: on your premises, or in one of the secure CSC-hosted data centers.

		BUILD YOUR OWN PRIVATE CLOUD	CSC BIZCLOUD FOR GOVERNMENT
REDUCED RISK	On-premises solution	✓	✓
	Managed risk and security	✓	✓
PRESERVED CAPITAL	Capital expense	✓	
	Operating expense		✓
INCREASED AGILITY AND FLEXIBILITY	Elasticity — dial resources up and down		✓
	Pay as you go with standard rate card		✓
	Chargeback capability		✓
	Fully managed orchestration capability	✓ \$\$\$	✓
	Service catalog	✓ \$\$\$	✓
	Self-service provisioning portal	✓ \$\$\$	✓
STANDARDIZED GLOBAL DELIVERY	Standard operating environments		✓
	Monitoring and management (infrastructure & OS)		✓
	Single contact for support and maintenance		✓
		10 MONTHS \$\$\$\$\$	10 WEEKS \$\$



BIZCLOUD™ FOR GOVERNMENT

A VMWARE VBLOCK™ DATACENTER SERVICE

CSC CLOUD SERVICES FOR GOVERNMENT AT A GLANCE

- *ACE Factory™ — Transform and cloud-enable your legacy and custom applications with a fast, reliable and predictable process*
- *BizCloud™ for Government™ — Private cloud where performance and security are paramount (onsite or CSC hosted)*
- *SAP IU — Fully managed cloud-enabled infrastructure tailored for SAP production, development and testing environments*
- *CloudMail — Scalable, reliable and secure next-generation enterprise messaging, delivering end users anytime, anywhere access*
- *CloudIAM™ — Extend your in-house identity and access management to your SaaS applications*

Elastic. With BizCloud for Government, you pay for what you use, when you use it, and you have the capacity to respond to seasonal and mission-related peaks in processing.

Secure. BizCloud for Government lets you enable the unique and customized security you need, as it can be installed behind your firewall in your data center, giving you all the physical and network security, availability, connectivity and control you're accustomed to. With BizCloud for Government, security controls are in place to meet the mandates of compliant workloads such as FISMA. This is enabled with a template system security plan (SSP) that allows the government agency to make a quick progression to certification and accreditation (C&A) given the specifics of the system purpose and mission payload.

Reliable. BizCloud for Government offers tiered service levels. You can align your support requirements for each type of workload to the service level offering availability from 99 percent to 99.95 percent. High-availability service levels can be designed to offer disaster recovery options with standard recovery point objectives (RPOs) from 1 hour to 24 hours and recovery time objectives (RTOs) from 4 hours to 48 hours to match the requirements of each workload.

Flexible. BizCloud for Government can be deployed in a data center of your choosing — one of your data centers, a colocation facility or a CSC Data Center designed to achieve the environmental controls necessary for the FISMA C&A process. From order to production, BizCloud for Government is ready for workload and application deployment in 10 weeks. We provide the knowledge transfer necessary for you to run and manage your private cloud, or, if the convenience of a managed cloud is required, CSC can manage your cloud for you.

WHAT'S INCLUDED

Trust, transparency and SLAs are all standard in BizCloud for Government

Best performing cloud fabric, Vblock™ hardware and hypervisor technology

Service catalog with easy provisioning using either a pre-populated library of software templates or client-developed templates

FISMA Moderate level design-ready with an SSP to achieve C&A to the target mission payload

Billing and chargeback, usage tracking and reporting on capacity and SLA monitoring

Optional Support Features

Network and managed security management services including antivirus, vulnerability scanning and host-based intrusion prevention and detection systems

Endpoint management including patch management and distribution, VM monitoring and notification, load balancing and server farms/clusters

Disaster recovery including platform replication and failover to remote sites

Optional Onboarding Services

CSC offers additional services for BizCloud for Government: workload planning, service catalog refinement and workflow development for chargeback and billing to internal clients, portal configuration and branding.

CSC — COMMITTED TO YOUR SUCCESS

With more than 50 years of system integration experience, we understand the enterprise. Customer-centric and platform independent, we help you select the best technology. Security is an integral component of all our offerings, processes and systems. Our high level of support helps you minimize risks.

FIND OUT MORE

<http://www.csc.com/govcloud>

NORTH AMERICA

trusted_cloud@csc.com

**Todd McNabb, North American Public Sector
Director of Cloud Services**

678.852.9191

EXHIBIT J

www.csc.com/public_sector/ds/88425/88433-bizcloud_for_government

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BizCloud for Government

Hear from industry leaders on the benefits of BizCloud for Government, the industry's first private cloud, billed as a service from a standard rate card and ready for application workloads in 10 weeks.

my CSC Recommendations

EXHIBIT K



About AT&T

CSC and AT&T Combine Expertise in Cloud, Networking, and Applications Services for Global Businesses

Aug 06, 2013

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ENLARGE

CSC and AT&T* have signed an agreement for a global strategic alliance to develop next-generation technology solutions for enterprise businesses.

The two companies plan to develop and offer cloud solutions for businesses globally. The companies are combining CSC's cloud services, specialized consulting and applications expertise with AT&T's secure network and cloud infrastructure platform to help global businesses move more quickly to the cloud. CSC, a recognized leader in enterprise cloud computing, will deliver its BizCloud and other cloud services through AT&T's global cloud infrastructure platform and networks.

[Read the entire CSC and AT&T Alliance Press Release.](#)

As part of the agreement, CSC will provide application expertise to AT&T and its customers. Working with AT&T, CSC will enhance and migrate applications to enable AT&T's customers to benefit from a secure cloud environment.

In addition, AT&T will assume management of CSC's internal network and its managed network services portfolio with commercial clients, providing CSC and its clients with a global secure network capability and enabling development of next-generation network service offerings. With AT&T's network at the edge of CSC's data centers, the companies will be able to deploy cloud solutions quickly for their customers.

The agreement will remain in place until 2020, with the option to extend.

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EXHIBIT L



Global Business Solutions Provider's Cloud Business Success Supported by Intelligent Automation

CSC expedites delivery and management of cloud services while containing costs.

EXECUTIVE SUMMARY

CSC Inc.

- Business Technology Solutions
- USA
- 93,000 employees

BUSINESS CHALLENGE

- Seize market opportunity by providing innovative private cloud services to clients

SOLUTION

- **Cisco Intelligent Automation for Cloud:** software solution on Vblock Infrastructure Platforms, to provide secure enterprise-class cloud services to CSC clients
- **Cisco Services:** planning, design, implementation, and support services

RESULTS

- CSC is implementing solution and expects to expedite provisioning to help ensure faster service for clients, with improved satisfaction through easy-to-use portal

Business Challenge

As one of the world's largest providers of business solutions and services, CSC has been solving complex information management challenges by employing innovative technology for business and government agencies all over the world. CSC is known for delivering results using standardized technology such as cloud services to shape, transform, and manage enterprise IT. CSC clients are typically large, global organizations from many industries including chemical, energy and natural resources, insurance, consumer, manufacturing, health services, and public sector. CSC's rich domain expertise differentiates the high-value solutions offered to these organizations. Current clients and many new organizations are turning to CSC for private cloud solutions based on a unique financial model.

CSC's cloud business is growing. From opening the first CSC cloud datacenter in 2010 to the launch of CSC BizCloud, the industry's only opex private cloud that is billed from a standard rate card and

ready for workloads in just ten weeks, CSC's portfolio of cloud solutions has quadrupled along with the global customer base. CSC BizCloud combines the scalability and convenience of a public cloud with the security of a dedicated private cloud. BizCloud shares CSC's infrastructure-as-a-service layer, CSC CloudCompute, and the same rate card and service levels as its public and virtual private off-premises cloud.

To continue to lead in the enterprise cloud market, CSC is making order management, delivery, and administration of its cloud solutions easier and more efficient by incorporating advanced cloud automation from Cisco. Eli Almog, CSC's CTO for cloud describes the urgency, "CSC aims to lead the market by offering a scalable, secure enterprise cloud that is easy to use. When we say easy to use, we mean from the time the order is placed, to the provisioning of virtual machines, to the configuring of the service catalogue. Standardization and automation enable us to serve clients faster, and the clients can expect a predictable service required by real business workloads. We need to be as agile as our clients want to be themselves."

For CSC, providing an enterprise cloud requires transparency. CSC is creating a self-service portal through which clients not only order their cloud services, but can also manage access and track usage to manage costs. Almog says, "There is some heterogeneous integration for every project. We need a solution that orchestrates workflows across technologies, so that we have the flexibility to provide new self-service options to clients over time. At CSC, we think that well-orchestrated automation is an essential enabling technology for the enterprise cloud."

The CSC Cloud is built on the Vblock platform, which provides CSC with a complete cloud infrastructure consisting of Cisco Unified Computing System (UCS) blade servers, Cisco networking components, EMC storage systems, and VMware vSphere virtualization technology. CloudCompute and BizCloud are VMware vCloud Datacenter Services, which provide enhanced management of the cloud. However, CSC saw a need to automate the management capabilities of its cloud offerings further. CSC is pulling together the best products in their categories, such as Cisco Intelligent Automation for the Cloud, to develop a highly-differentiated cloud management layer.

Almog says, “We have to give clients on-demand service and elasticity. We looked for a flexible, enterprise class solution that could automate many procedures and integrate with other management capabilities. We want to provide an excellent client experience for self-service ordering, with the ability to handle different workloads and services overtime.”

“For example, we need the ability to provide a pay-as-you-go model, from both a software and hardware point of view. This is important. When a client orders BizCloud, they don’t just get the Vblock infrastructure; they get it wrapped with enterprise-class management capabilities that can be readied for workloads in only 10 weeks and remotely managed by CSC if they choose, from the OS through to the applications.”

“Well-orchestrated automation is an essential enabling technology for the enterprise cloud.”

— Eli Almog, CTO for Cloud, CSC

Solution and Results

After evaluating multiple commercial options, CSC chose the Cisco Intelligent Automation for Cloud software solution for advanced cloud management automation to complement their investment in the Vblock platform. CSC is using this solution to provide a self-service portal and service catalog that enables clients to quickly and easily order cloud infrastructure services online, with on-demand provisioning and pay-per-use tracking.

“The Cisco Intelligent Automation solution is also used by Cisco IT, and when we saw how Cisco uses its own cloud automation product, we were encouraged. It will be an essential component of our long-term reference architecture for the enterprise cloud,” says Almog. CSC is deploying the solution now and expects clients will appreciate the improved control over their infrastructure and the increased visibility that they have into their cloud services and the speed of adding new workloads and users.

The company also expects significant reductions in the time and labor required to ready the BizCloud for workloads. BizCloud already saves months and millions of dollars over the other “do it yourself” private clouds. CSC Cloud users benefit from better tracking of usage and management of costs. Cisco Intelligent Automation for Cloud enables the CSC Cloud business to grow as fast as the market is growing.

For More Information

To learn about Cisco Intelligent Automation for Cloud solution, visit: <http://www.cisco.com/go/iacloud>.




Americas Headquarters
Cisco Systems, Inc.
San Jose, CA

Asia Pacific Headquarters
Cisco Systems (USA) Pte. Ltd.
Singapore

Europe Headquarters
Cisco Systems International BV Amsterdam,
The Netherlands

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Printed in USA

C36-708305-01 06/12

EXHIBIT M

CSC and VMware Alliance

Overview	Solutions	Resources	
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Help Enhance Business Agility, Maximize End User Flexibility and Improve Quality of Service with CSC and VMware Joint Solutions

Together, CSC and VMware have developed solutions that encompass traditional managed services and cloud, including infrastructure, applications and end user computing. CSC is a [VMware vCloud™ Datacenter Service provider](#) and has integrated VMware into our reference architecture for cloud. Our joint solutions provide secure and reliable IT solutions that help enhance business agility, maximize end user flexibility and

improve quality of service.

Cloud and Infrastructure: CSC's traditional infrastructure services deliver business performance through a highly flexible, responsive and business-ready approach in [CSC Trusted Cloud Data Centers](#). In addition, CSC and VMware provide vCloud Datacenter global availability services, which increase IT efficiency and business agility through a new approach to cloud management and a flexible IT infrastructure, featuring [CSC BizCloud™](#) and [CSC CloudCompute™](#) — both VMware vCloud™ Datacenter Services — and [CSC Cloud IU™ for SAP](#) (Infrastructure Utility). CSC BizCloud is the only private on-premise cloud ready for workloads in just 10 weeks. CSC CloudCompute provides consistent Infrastructure as a Service (IaaS) across all CSC cloud deployment models: off-premise public and private, and on-premise private cloud. CSC Cloud IU for SAP delivers a managed infrastructure for any SAP production or test and development environment deployed as a service.

Application transformation is a modernization portfolio leveraging VMware vFabric™ technology to deploy applications in half the time, achieving elastic scale and supporting high-speed data. It features [CSC Application Cloud Enablement \(ACE\) Factory™](#), a managed service that refactors and rebuilds applications to be cloud-aware and enables them to move from enterprise data centers to cloud application platforms.

End user computing solutions optimize existing desktops while embracing mobility and collaboration. [CSC's Dynamic Desktop VMware Series](#) uses Horizon View™ to deliver a fully managed, hosted virtual desktop service that can be delivered either as an enterprise managed service or as CSC CloudDesktop on the CSC public or private cloud. [CSC CloudMail™ for VMware Zimbra®](#) combines the next-generation collaboration service from VMware, deployed in CSC Trusted Cloud data centers and fully managed by CSC.

Partners

[Global Alliances](#)

[Consulting and Integration Partners](#)

[VMware Solution Exchange](#)

Partner Resources

[Partner Central](#)

[My VMware Partner Resources](#)

[Partner University](#)

[Become a Virtualization Expert](#)

[Code of Conduct](#)

[Partner Competency Recommendation Tool](#)

Find VMware Partners

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[Find a vCloud Service Provider](#)

[Find a Competency partner](#)

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EXHIBIT N

← → ↻ www.vmware.com/partners/global-alliances/csc/csc-solutions.html ☆

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CSC and VMware Alliance

Overview Solutions Resources

Help Enhance Business Agility, Maximize End User Flexibility and Improve Quality of Service with CSC and VMware Joint Solutions

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EXHIBIT O

CSC

BIZCLOUD™

A CSC TRUSTED CLOUD SERVICE

Secure, private cloud delivered in 10 weeks with the agility of a public cloud

- Billed as a service
- Multiple service-level tiers
- Self-service or managed service

Key Benefits

- Improves efficiency and cost effectiveness of IT delivery
- Mitigates risk and improves ROI for new business solutions
- Focuses IT resources on business value versus ongoing operations
- Frees up capital for strategic business investment

THE CHALLENGE

For some enterprises, the right cloud is a private cloud. However, private clouds offer limited economic advantages and often pose more questions than answers. Until now, to have the security and exclusivity of a private cloud, you needed to forgo the highly desirable elasticity and on-demand, pay-as-you-go economic model of the public cloud. Now, you can have all the advantages of the public infrastructure while satisfying your need to mitigate risk and secure mission- and business-critical data and applications.

THE SOLUTION

CSC BizCloud™ is a private, on-premises cloud built by CSC, ready for workload deployment in just 10 weeks and billed as a service from a standard rate card. BizCloud combines the privacy, security and control of a private cloud with the commercial model, elasticity and convenience of a public cloud. Now you can

deliver Infrastructure as a Service (IaaS) to your business without the capital investment or the long lead times typically associated with building a private cloud.

Innovative. We've taken our cumulative experience in standing up worldwide commercial cloud data centers and captured it in BizCloud. With BizCloud, we combine a powerful, standardized cloud fabric, the security required for trust and transparency, and our proven expertise in onboarding and managed services to deliver a ready-made private cloud that we bill as a service.

The standard CSC cloud fabric is the basis of BizCloud. It includes leading virtualization software from VMware; unified networking, security and computing from Cisco; and storage, security and management technologies from EMC.

	BUILD YOUR OWN PRIVATE CLOUD	CSC BIZCLOUD
On premises	■	■
Managed risk and security	■	■
Capital expense	■	
Operating expense		■
Elasticity — dial resources up and down		■
Pay as you go with standard rate card		■
Chargeback capability		■
Service catalog	□	■
Fully managed orchestration capability		■
Self-service provisioning portal	□	■
Remote monitoring and management of infrastructure		■
Remote monitoring and management of OS and application stack		■
	10 MONTHS+ \$\$\$\$\$	10 WEEKS \$\$

BizCloud — fast deployment, built and installed in your data center, no capital investment

BizCloud arrives pre-integrated with a service catalog and rate card uniquely configured for your enterprise. Orchestration automates provisioning and chargeback with usage tracking and reporting on capacity and service level agreement (SLA) monitoring.

Capable. CSC CloudCompute, the core of BizCloud, is consistent across all CSC clouds: the multitenant, public cloud, as well as the off-premises private clouds in CSC Trusted Cloud data centers worldwide. Using the same cloud fabric, architecture, rate structure, service level and management options in all CSC cloud models provides multiple options for evolving your cloud strategy.

Elastic. With BizCloud, you pay for what you use, when you use it, and have the capacity to respond to seasonal and business-related peaks in processing.

Secure. CSC CloudCompute, the IaaS layer of BizCloud, is protected by CSC's holistic defense-in-depth security framework, which delivers the logical security, access control and data integrity options needed to support mission-critical, customer-facing and back-office applications.

Reliable. BizCloud offers tiered service levels. You can align your support requirements for each type of workload to the service level offering availability from 95 percent to 99.95 percent.

Flexible. BizCloud provides the knowledge transfer necessary for you to run and manage your private cloud from order to production in 10 weeks. If the convenience of a managed cloud is required, managed rates are available.

WHAT'S INCLUDED

Trust, transparency and SLAs are all standard in BizCloud.

Best performing cloud fabric, Vblock hardware and hypervisor technology

Service Catalog with easy provisioning using either a prepopulated library of software templates or client-developed templates

Security with network intrusion prevention system (NIPS) monitoring and vShield virtual firewalls built in, plus CSC's defense-in-depth security framework

Billing and chargeback, usage tracking and reporting on capacity and SLA monitoring

Optional Support Features

Disk or offsite backup options with your choice of retention policy

High-availability failover to a remote site

Subscription software services for the operating system, middleware and platform

Network and security management, including antivirus, Qualys vulnerability scanning, and host-based intrusion prevention and detection systems

Optional Onboarding Services

CSC offers additional services for BizCloud: workload planning, service catalog refinement and workflow development for chargeback and billing to internal clients, portal configuration and branding.

CSC — COMMITTED TO YOUR SUCCESS

With more than 50 years of system integration experience, we understand the enterprise. Customer-centric and platform independent, we help you select the best technology. Security is an integral component of all our offerings, processes and systems. Our high level of support helps you minimize risks.

FIND OUT MORE

<http://www.csc.com/cloud>

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+61(0)2.9034.3000

EXHIBIT P

THE CSC AND EMC ALLIANCE



About EMC: EMC Corporation is a global leader in enabling businesses and service providers to transform their operations and deliver IT as a service. Fundamental to this transformation is cloud computing. Through innovative products and services, EMC accelerates the journey to cloud computing, helping IT departments to store, manage, protect and analyze their most valuable asset — information — in a more agile, trusted and cost-efficient way.

CSC and EMC Better Together

EMC Corporation

www.emc.com

EMC and CSC collaborate on delivering new offerings around large-scale information infrastructures and next-generation data center operations.



CSC and Alliance Partnership at a Glance

- A one-stop shop for making “as a Service” a reality, with IaaS, SaaS, PaaS and Storage as a Service solutions
- Innovative and unique cloud services with flexible business models
- End-to-end capabilities in the areas of cloud computing, storage and data center consolidation, applications (including Big Data) and cybersecurity
- Big Data solutions leveraging advanced technologies, including EMC’s Greenplum for enterprise intelligence/ advanced analytics
- CSC is a leader in the VCE partner ecosystem, receiving over 15 awards, including two EMC Journey to the Cloud Partner Innovation awards in the Products and Services categories

Joint Offerings/Solutions

CSC and EMC offer joint solutions focused on cloud computing, storage and data center consolidation, applications (including Big Data) and cybersecurity while making “as a Service” a reality for IT.

- **Cloud Computing** offerings encompass Platform as a Service (PaaS), Infrastructure as a Service (IaaS) and Software as a Service (SaaS):
 - PaaS offerings include CSC PaaS, a platform to enable design, development, deployment and management of client applications leveraging the agility and cost-effectiveness of the cloud. **CSC’s Application Cloud Enablement (ACE) Factory™** provides an automated, industrialized process for refactoring and re-hosting applications for the cloud.
 - IaaS and Managed Hosting offerings feature CSC’s Infrastructure as a Service and Infrastructure Utility including **CSC BizCloud™** a VMware vCloud™ Datacenter Service, the only on-premise, private cloud billed as a service and ready for workloads in 10 weeks; **CSC Cloud IU™ for SAP**; and **CSC CloudCompute™** a VMware vCloud Datacenter Service.
 - SaaS offerings include CSC **CloudMail™**, **CSC Dynamic Desktop for VMware View™** and CSC’s

Legal Solutions Suite® software.

- **Storage and Data Center Consolidation.** Together, EMC and CSC offer de-duplication, archiving storage and software systems for next-generation backup and recovery. Storage as a Service is a fully managed, on-demand utility service encompassing the following service options:
 - *CSC Storage as a Service — Store* is a set of fully managed, pay-as-you-go services that provides a tiered storage system to host your primary application data. It resides within our data center or within yours, and provides your choice of dedicated or shared environments.
 - *CSC Storage as a Service — Recover* is a fully managed, utility-style priced data backup and protection service.
 - *CSC Storage as a Service — Archive* automatically captures, categorizes, indexes and stores emails and files so that they can easily be located and retrieved when needed, but holds them in low-cost storage when not needed.
 - *CSC Virtual Platform Storage* -- is a fully managed pay-as you-go service with a menu of optional extras that automatically adjusts to changing business requirements and provides a better economic choice to “do it yourself” storage.
- **Application Transformation.** CSC provides comprehensive modular services that help clients transform and modernize their application software portfolios in ERP, CRM and SCM. Together CSC and EMC provide [Big Data](#) solutions leveraging technologies that include EMC's Greenplum® for enterprise intelligence/advanced analytics.
- **Cybersecurity.** EMC and CSC extend the security of businesses by enabling extensive visibility, increased compliance, rapid response and the ability to manage vulnerabilities and cyber threats across the enterprise. The partnership provides the following services:
 - CSC Elevate: Highly specialized and advanced services to address the most sophisticated and dynamic risks while ensuring enterprise agility
 - CSC Extend: Services that extend beyond core functions to effectively address risk and compliance-specific priorities and ensure the most appropriate allocation of resources
 - CSC Enhance: Core security functions enhanced through gains in operational efficiency and effectiveness, to establish the foundation for evolution to risk-appropriate security

Talk To Us

[Contact Us](#)

Discover More

 [CSC and EMC Alliance Overview](#) | PDF - 568 KB

[CSC Cloud Services and VCE Vblock™ Platform](#)

[CSC Profile on EMC Website](#)

[CSC and EMC Alliance](#) Watch the video

EMC Honors Journey to the Cloud Award Recipients at VMworld 2011.

Event

CSC at EMC World

EXHIBIT Q

www.csc.com/global_alliances/alliances/33694-emc_corporation



- End-to-end capabilities in the areas of cloud computing, storage and data center consolidation, applications (including Big Data) and cybersecurity
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 - SaaS offerings include [CSC CloudMail™](#), [CSC Dynamic Desktop for VMware View™](#) and [CSC's Legal Solutions Suite®](#) software.

Event

[CSC at EMC World](#)

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

BizCloud, Inc., and Zipbusiness

(b) County of Residence of First Listed Plaintiff Santa Clara
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Comar Law
901 Mission Street, Ste 105
San Francisco, CA 94103 (415) 562-6790

DEFENDANTS

Computer Science Corporation, AT&T Inc., Cisco Systems, Inc., VMware, inc., EMC Corporation and Does 1-25

County of Residence of First Listed Defendant San Mateo
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. 1114

Brief description of cause:
Trademark Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER 3:13-cv-05999

DATE

January 10, 2014

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE